IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 9645 of 2004

Between:

M/s Whirlpool of India Limited, (formerly known as Expo Machinery Ltd), Bowenpally, Hyderabad, represented by its Branch Commercial Manager, Sri Manish Kumar Gupta.

..... PETITIONER

AND

1 Commercial Tax Officer, S.D.Road Circle, Secunderabad.
2 Commercial Tax Officer, Khairtabad Circle, Hyderabad.
3 Commercial Tax Officer, Jubilee Hills Circle, Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ or order or direction particularly one in the nature of Writ of Certiorari and quash the notice of provisional monthly assessment /demand dated 19-12-2003 issued in RC No.1855/03-04 after calling for the records.

Counsel for the Petitioner:MR.SKRISHNA MURTHY, Advocate.

Counsel for the Respondents : GP FOR COMMERCIAL TAXES

The Court made the following :

ORDER : (Per Sri Bilal Nazki, J).

The petitioner contend that he was entitled to certain refund and had moved an application praying that the amount which was refundable to him be adjusted for a subsequent period, but his claim for adjustment was rejected by a notice dated 19.12.2003. On last occasion, the learned Counsel for petitioner sought time to get instructions. Learned Government Pleader submits that the request of the petitioner for adjustment of the amount, which was refundable to him, has already been conceded to. In these circumstances, no orders are needed to be passed in this Writ Petition, which is accordingly dismissed. No costs.

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(BILAL NAZKI, J)

10th August, 2004.

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(S.ANANDA REDDY, J)

ajr.

To

1 Commercial Tax Officer, S.D.Road Circle, Secunderabad.
2 Commercial Tax Officer, Khairtabad Circle, Hyderabad.
3 Commercial Tax Officer, Jubilee Hills Circle, Hyderabad.

4 Two C.Cs. to the GP for Commercial Taxes, High Court Buildings,

Hyderabad (O.U.T.).

5 Two C.D. copies.